

§ 104.405 Format of the Vessel Security Plan (VSP).

(a) A vessel owner or operator must ensure that the VSP consists of the individual sections listed in this paragraph (a). If the VSP does not follow the order as it appears in the list, the vessel owner or operator must ensure that the VSP contains an index identifying the location of each of the following sections:

- (1) Security organization of the vessel;
- (2) Personnel training;
- (3) Drills and exercises;
- (4) Records and documentation;
- (5) Response to change in MARSEC Level;
- (6) Procedures for interfacing with facilities and other vessels;
- (7) Declarations of Security (DoS);
- (8) Communications;
- (9) Security systems and equipment maintenance;
- (10) Security measures for access control;
- (11) Security measures for restricted areas;
- (12) Security measures for handling cargo;
- (13) Security measures for delivery of vessel stores and bunkers;
- (14) Security measures for monitoring;
- (15) Security incident procedures;
- (16) Audits and Vessel Security Plan (VSP) amendments; and
- (17) Vessel Security Assessment (VSA) Report.

(b) The VSP must describe in detail how the requirements of subpart B of this part will be met.

§ 104.410 Submission and approval.

(a) On or before December 29, 2003, each vessel owner or operator must either:

(1) Submit one copy of their Vessel Security Plan (VSP) for review and approval to the Commanding Officer, Marine Safety Center (MSC) and a letter certifying that the VSP meets applicable requirements of this part; or

(2) If implementing a Coast Guard approved Alternative Security Program, meet the requirements in § 101.120(b) of this subchapter.

(b) Vessels built on or after July 1, 2004, must comply with the require-

ments in paragraph (a) of this section 60 days prior to beginning operations.

(c) The Commanding Officer, Marine Safety Center (MSC), will examine each submission for compliance with this part, and either:

(1) Approve it and specify any conditions of approval, returning to the submitter a letter stating its acceptance and any conditions, or

(2) Disapprove it, returning a copy to the submitter with a brief statement of the reasons for disapproval.

(d) A VSP may be submitted and approved to cover more than one vessel where the vessel design and operations are similar.

(e) Each company or vessel, owner or operator, that submits one VSP to cover two or more vessels of similar design and operation must address vessel-specific information that includes the physical and operational characteristics of each vessel.

(f) A plan that is approved by the MSC is valid for 5 years from the date of its approval.

§ 104.415 Amendment and audit.

(a) *Amendments.* (1) Amendments to a Vessel Security Plan that are approved by the MSC may be initiated by:

(i) The vessel owner or operator; or

(ii) The Coast Guard upon a determination that an amendment is needed to maintain the vessel's security. The Coast Guard will give the vessel owner or operator written notice and request that the vessel owner or operator propose amendments addressing any matters specified in the notice. The company owner or operator will have at least 60 days to submit its proposed amendments. Until amendments are approved, the company owner or operator shall ensure temporary security measures are implemented to the satisfaction of the Coast Guard.

(2) Proposed amendments must be sent to the marine safety center at the address shown in § 104.400(b) of this part. If initiated by the company or vessel, owner or operator, the proposed amendment must be submitted at least 30 days before the amendment is to take effect unless the Marine Safety Center (MSC) allows a shorter period. The MSC will approve or disapprove